



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Communications (January 26, 1995 through February 21, 1995)

MEETING DATE: March 1, 1995

PREPARED BY: Jerry L. Glenn, Assistant City Manager

RECOMMENDED ACTION:

AGENDA ITEM

RECOMMENDATION

G. 1 a

That the City Council by motion action deny the following verified claim filed against the City of Lodi.

a) Cheryl Harvey, date of loss, 10/23/94

BACKGROUND INFORMATION:

Following review of the verified claim filed against the City of Lodi, the City Attorney and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA) recommend that the City Council deny the subject claim.

FUNDING: None required.

Respectfully Submitted,

Jerry L. Glenn
Assistant City Manager

CCCOM001/TXTA.TLP/GL

APPROVED: _____

THOMAS A. PETERSON
City Manager



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CITY COUNCIL

STEPHEN J. MANN, Mayor
DAVID P. WARNER
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
JACK A. SIEGLOCK

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
FAX (209) 333-6807

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

Notice of Claim Rejection

March 2, 1995

Law Offices of Nicholas Lowe
1788 Tribute Road, Suite 300
Sacramento, CA 95815

RE: Your Claimant: Cheryl Harvey
Date of Loss: 10/23/94

Dear Mr. Lowe:

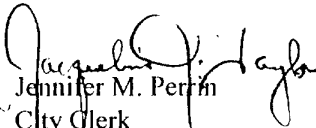
Notice is hereby given that the claim you presented to the City on Lodi on January 25, 1995, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Jennifer M. Perrin
City Clerk

cc: Insurance Consulting Associates